

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

KRISTINA HEMPEL-DUBOIS

Plaintiff,

v.

PORTFOLIO RECOVERY ASSOCIATES, LLC

Defendant.

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Case No. 1:11-cv-00009-JD

JOINT MOTION TO EXTEND DEADLINES AND CONTINUE TRIAL

The parties jointly move to extend certain deadlines and continue the trial to the two-week period beginning May 15, 2012, saying in support as follows:

1. The parties have been diligently pursuing discovery and pretrial briefing in this case. Initial disclosures have been made and paper discovery has been propounded.
2. Depositions and further discovery in this matter has been delayed, however, by the serious illness of Plaintiff's daughter. Specifically, the Plaintiff's sixteen year old daughter was diagnosed with a brain tumor in early June 2011 requiring multiple admissions and outpatient treatments at Boston Children's Hospital.
3. This delay has impacted several upcoming deadlines. Specifically, Plaintiff's expert disclosure deadline is September 1, 2011, and Defendant's is November 1, 2011.
4. To allow the parties time to conduct the necessary discovery, prepare summary judgment motions, if any, and meaningfully consider expert designations, they jointly request

that the pending deadlines in the pre-trial schedule be extended **sixty** days, such that the following new deadlines apply:

- a. Plaintiff's expert disclosure by November 1, 2011.
- b. Defendant's expert disclosure by January 3, 2011.
- c. Close of discovery on March 13, 2012.

5. Trial is currently scheduled in this matter to take place in the two-week period beginning February 22, 2012. To accommodate the extended pre-trial deadlines requested above and to allow significant time for the court to consider summary judgment motions, the parties also jointly request a short continuance of the trial in this matter, to the two week period beginning May 15, 2012, with the following associated deadlines:

- a. Challenges to expert testimony to be filed no later than 45 days prior to trial.
- b. Summary judgment motions to be filed no later than 120 days prior to trial.
- c. Pretrial statements, LR 16 materials, and other pretrial materials to be filed as scheduled by the Court in accordance with the new trial date.

6. In accordance with LR 7.2(d), the undersigned certify that their clients have been notified of this request and agree thereto.

Respectfully Submitted,

KRISTINA HEMPEL-DUBOIS

By Her Attorney,

Dated: August 23, 2011

/s/ Roger B. Phillips
Roger B. Phillips (#)
Phillips Law Office, PLLC
104 Pleasant Street
Concord, NH 03301

AND

PORTFOLIO RECOVERY ASSOCIATES,
LLC

By Its Attorney,

Dated: August 23, 2011

/s/ John-Mark Turner
John-Mark Turner (#15610)
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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Roger B. Phillips
Phillips Law Office, PLLC
104 Pleasant Street
Concord, NH 03301

/s/ John-Mark Turner
John-Mark Turner